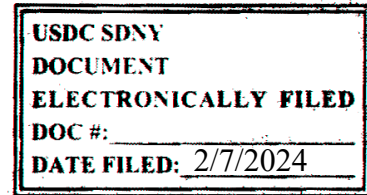


**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**



-----X  
**PEDRO LIZ,**

**Plaintiff,**

**23-CV-10871 (DEH)(SN)**

**-against-**

**ORDER**

**THE AIRPLANE SHOP, INC.,**

**Defendant.**  
-----X

**SARAH NETBURN, United States Magistrate Judge:**

In light of Defendant's overdue answer, Plaintiff was previously directed to file a letter with the Court by February 2, 2024, addressing whether Plaintiff's counsel has had any contact with Defendant or whether counsel intends to seek a Certificate of Default from the Clerk of Court and file a Motion for Default Judgment. To date, no such letter has been filed.

Accordingly, Plaintiff is ORDERED to file that letter by February 8, 2024. If Plaintiff fails to comply, the Court will recommend that the case be dismissed without prejudice for failure to prosecute. Fed. R. Civ. P. 41(b).

**SO ORDERED.**

\_\_\_\_\_  
SARAH NETBURN  
United States Magistrate Judge

DATED: February 7, 2024  
New York, New York